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10 Attorneys for Plaintiff
11 United States of America

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,) CR NO. 05-578 (A) -JFW
15 Plaintiff,)
16 v.)
17 RAFAEL YEPIZ, et al.,)
18 Defendants.)
19 _____)

20 Plaintiff, United States of America, by and through its
21 counsel of record, Assistant United States Attorneys Mark Young,
22 Peter Hernandez, and David Kowal, hereby respectfully submits a
23 status report concerning counsel's availability to proceed to
24 trial in the above-referenced matter on August 8, 2006, and
25 comply with the motions filing cutoff dates and hearing set forth
26 in the Court's August 26, 2005 order.

27 The government has spoken to counsel for 5 of the 6 ^{new} ~~new~~
28 defendants charged in the First Superseding Indictment. As of

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1 this filing, the government had not communicated with Fredricco
2 McCurry, Esq., counsel for Mariano Meza, concerning the trial and
3 motion dates. As soon as the government speaks with Mr. McCurry,
4 which should be in the next day or so, the government will file a
5 further status report regarding Mr. McCurry's status.

6 With respect to the counsel for the remaining defendants,
7 all are agreeable with the August 8, 2006 trial date. Counsel
8 for defendant James Garcia, Judith Rochlin, Esq., has no
9 opposition to the proposed dates, but adds that she has no
10 opposition to such dates so long as she get the remaining
11 discovery (specifically, the audio/videotape recordings of post
12 arrest statements made by her client) by January 31, 2006. The
13 government anticipates that this outstanding discovery will be
14 produced by such date. Additionally, counsel for defendant Bruno
15 Vasquez believes the motion cut off date will be difficult to
16 meet, but it may be possible for him to have his motions ready
17 for filing by that date. He further adds that he is committed to
18 the August 8, 2006 trial date. Counsel for defendants Johnny
19 Velasquez Yribe and Erwin Deleon are agreeable to both dates, and
20 defendant Adrian Manzo' counsel is also agreeable to the trial
21 date. I have not been able to communicate with Mr. Treman, Esq.,
22 counsel for defendant Manzo, prior to this filing to determine
23 his position with respect to the various motions dates.

24 The government has circulated a proposed stipulation
25 regarding the trial and motions dates and excludable Speedy Trial
26 Act findings to counsel for the six new defendants. It has
27 informed counsel that it wants a response to the proposed
28

1 stipulation by January 26, 2006. Accordingly, if it receives the
2 stipulation back from counsel for the new defendants, the
3 government will promptly file the stipulation to the trial and
4 motion dates.

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6 DATED: January 23, 2006 Respectfully submitted,

7 DEBRA WONG YANG
United States Attorney

8 THOMAS P. O'BRIEN
9 Assistant United States Attorney
Chief, Criminal Division



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13 MARK A. YOUNG
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16 Attorneys for Plaintiff
17 United States of America

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CERTIFICATE OF SERVICE

I DECLARE:

THAT I AM A CITIZEN OF THE UNITED STATES AND RESIDENT OR EMPLOYED IN LOS ANGELES COUNTY, CALIFORNIA; THAT MY BUSINESS ADDRESS IS THE OFFICE OF UNITED STATES ATTORNEY, UNITED STATES COURTHOUSE, 312 N. SPRING STREET, LOS ANGELES, CALIFORNIA 90012; THAT I AM OVER THE AGE OF EIGHTEEN YEARS, AND AM NOT A PARTY TO THE ABOVE-ENTITLED ACTION;

THAT I AM EMPLOYED BY THE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF CALIFORNIA WHO IS A MEMBER OF THE BAR OF THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, AT WHOSE DIRECTION I SERVED A COPY OF:

STATUS REPORT CONCERNING AVAILABILITY OF COUNSEL

SERVICE WAS:

[] PLACED IN A CLOSED ENVELOPE FOR
COLLECTION & INTEROFFICE DELIVERY
ADDRESSED AS FOLLOWS

PLACED IN A SEALED ENVELOPE FOR
COLLECTION & MAILING VIA UNITED STATES
MAIL, ADDRESSED AS FOLLOWS:

[] BY HAND DELIVERY ADDRESSED AS
FOLLOWS: BY AUSA IN COURT

[] BY FACSIMILE AS FOLLOWS:

[] BY MESSENGER AS FOLLOWS:

[] BY FEDERAL EXPRESS AS FOLLOWS:

-SEE ATTACHED SERVICE LIST-

THIS CERTIFICATE IS EXECUTED ON JANUARY 23, 2006, AT LOS ANGELES, CALIFORNIA.

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

ROLAND HERNANDEZ

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